REMARKS

With this Response, Applicants respectfully request that claim 33 be canceled without prejudice. Additionally, claims 1, 13, 24, and 29 are amended and new claims 34-37 are presented herein. Therefore, claims 1, 3-14, 16-25, 27-30, 32, and 34-37 are pending.

REGARDING CLAIM AMENDMENTS

Applicants submit that no new matter is entered with the claim amendments herein. Referring to the Specification as originally filed, Applicants submit that the amended subject matter finds support at least in Figures 14 and 15 and accompanying descriptions, and paragraphs [0010], [0019], and [0043] to [0046].

CLAIM OBJECTIONS

Claims 1, 13, 24 and 29 were objected to because of informalities. More particularly, the claims were determined to be missing a conjunction ('and'). Appropriate correction has been made as presented in the amended listing of claims.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 1, 3-12, 33, 24-25 and 27-28 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. More particularly, these claims were rejected as being directed to software per se. The claims are amended herein consistently with the descriptions in the Specification to be directed more specifically to the systems described. Such systems include server hardware and memory devices that store the claimed file. Such claims features are more directly recited in the claims as amended herein.

With such amendments, Applicants submit that the rejection of the claims is overcome, and respectfully request the rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 3-7, 13-14, 16-17, 24-25, 27-28 and 29-30 were rejected under 35 USC §103 as being unpatentable over U.S. Patent Publication No. 2004/0019662 of Viswanath (hereinafter "Viswanath") in view of U.S. Patent No. 6,664,978 of Kekic et al. (hereinafter "Kekic").

Of these claims 1, 13, 24, and 28 are independent claims. Each of these claims recite limitations directed to a monitor tree for a JMA monitoring system, where the monitor tree has a monitor managed beans and runtime managed beans, and a visual administrator that provides a swing-based GUI user interface to the monitoring system via a monitor service.

Applicants acknowledge the discussion in the Office Action defending the combination of the references in rejecting Applicants' claims. Applicants do not concede the propriety of the combination of the references in general, nor do Applicants concede that the specific interpretations and assertions in Office Action defending the combination are correct. Nevertheless, Applicants will assume for purposes of this Response that the combination of references is proper. Applicants maintain the right to challenge the combination of the references at a later time, as necessary.

Applicants have elected to focus herein on the failure of the references, whether alone or in combination, to disclose or suggest at least one of the features of the claimed invention. For example, as recited in Applicants' claimed invention, remote access of monitor managed beans is possible for registered beans through a swing-based GUI. Applicants submit that in combination with other aspects of the claims directed to a JMX system, the visual administrator having the swing-based GUI providing remote access to individual monitor nodes of a monitor tree, where monitor information is not reported back to a central location of the application server cluster, is not shown in the references.

While the references appear to contain many elements of the claims, the references as a whole do not show the claimed invention as a whole, in the same level of detail as the claims. Portions of Viswanath deal with an event notification system set up in a central management entity to let separate servers know what actions have taken place (e.g., paragraphs [0030], [0057], and [0154]). However, an eventing system propagating messages from a central service fails to disclose or suggest elements related to a cluster having central services that includes a visual administrator that can directly access monitor data from a monitor node (rather than from a central reporting location, as previously performed in JMA systems).

Whether or not various contextual components of the claimed invention are present or not (such as the cluster system in which the visual administrator operates), showing the contextual elements fails to disclose or suggest the specific elements of Applicants' claimed invention,

directed to the visual administrator that provides remote access of registered monitor managed beans of a monitor tree having certain elements at each node, and so forth.

Similarly, showing, in the abstract, that an SNMP system uses agents at monitored computing devices to monitor individual computing devices as in Kekic does not disclose or suggest to one of skill in the art a JMX system for monitoring Java resources for a Java engine, as disclosed in Applicant's Specification (see sections referenced above), and as more particularly pointed out in claims amendments herein.

Details about a specific, proprietary architecture combining SNMP management requests with a JMX system, as shown in Fuchs fails to specifically disclose that one of skill in the art could modify a JMX system with the claimed visual administrator with the other elements discussed above.

Thus, whether alone or in combination, Kekic and Viswanath fail to disclose at least one feature of the claimed invention, and so fail to render obvious the invention as recited in Applicants' independent claims. The dependent claims include all limitations of the independent claims from which they depend. Thus, the remaining claims, being dependent claims, likewise recite at least one limitation not disclosed or suggested by the cited references. MPEP § 2143.03. Therefore, these claims are not rendered obvious by the cited references, and Applicants respectfully request that the rejection of these claims be withdrawn.

Claims 8-12, 18-23, and 32

These claims were rejected over 35 USC §103 as being unpatentable over Viswanath and Kekic in view of U.S. Patent Application Publication No. 2003/0177477 of Fuchs (hereinafter "Fuchs").

These claims are not rendered obvious by the cited references. Fuchs is briefly mentioned above, in reference to the rejection of the independent claims from which each of these dependent claims depends. As mentioned above, whether or not Fuchs discloses various tabs and other features, the reference fails to cure the deficiencies of Viswanath and Kekic. Whether alone or in combination, the references fail to disclose the invention as a whole as recited in Applicants' claims directed to the visual administrator in the context of other claim elements. Whether alone or in combination, the cited references fail to disclose or suggest at least one limitation of the claims as set forth above, and so fail to render obvious the invention as recited

in Applicants' claims. Therefore, Applicants respectfully request that the rejection of these claims be withdrawn.

Claim 33

This claim was rejected over 35 USC §103 as being unpatentable over Viswanath and Kekic in view of U.S. Patent Application Publication No. 2003/0041142 of Zhang (hereinafter "Zhang"). This claim is canceled herein, rendering rejection of the claim moot. Zhang fails to cure the deficiencies of Kekic and Viswanath disclosed above. Whether or not Zhang appears to disclose a specific element of Applicants' claims, the invention as a whole as claimed in the independent claims is not shown by the references, individually or in combination. The cited references fail to disclose or suggest at least one limitation of the claims as set forth above, and so fail to render obvious the invention as recited in Applicants' claims. Therefore, Applicants respectfully request that the rejection of these claims be withdrawn.

New Claims 34-37

These claims are presented herein for examination, based on subject matter described in the Specification as originally filed, and depending from independent claims discussed above. Applicants submit that this claim is patentable over the cited references for at least the same reasons set forth above for the independent claims.

<u>CONCLUSION</u>

For at least the foregoing reasons, Applicants submit that the rejections are overcome, and respectfully request that the rejections be withdrawn. Therefore, all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

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